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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,436	07/16/2003	Mark R. Nelson	062891.1144	1727

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EXAMINER
SOL, ANTHONY M

ART UNIT	PAPER NUMBER
2616	

NOTIFICATION DATE	DELIVERY MODE
05/08/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)
	10/621,436	NELSON ET AL.
	Examiner	Art Unit	
	Anthony Sol	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,430,174 B1 ("Jennings").

Regarding claims 1 and 15,

Jennings shows (1) a telephone 209 of fig. 2A comprising (a) an interface 518 of

fig. 5, (b) handset 209 of fig. 2A, (c) memory 504 and 506 of fig. 5, and (d) a processor

502 of fig. 5, (2) a client browser (col. 8, line 53) and (3) a network 212 of fig. 2A.

Jennings further shows in fig. 2A the network interface 518 being operable to

couple the telephone to the communications network 212 (col. 6, lines 1-42).

Jennings still further shows in fig. 2A the handset 209 operable to provide oral

communication by a user of the telephone using the network interface 518.

Jennings further shows in fig. 5 the memory 504 and 506 operable to store

communication software and content for delivery to the client using the network

interface 518, the content menu 800 of fig. 8 associated with the operation of the telephone (col. 10, line 38 – col. 11, line 11; col. 14, lines 52-65).

Jennings still further shows in fig. 5 the processor 502 coupled to the memory and operable to execute the communication software (col. 10, line 64 – col. 11, line 10, *program instructions*) to enable the telephone to receive a request from the client browser for the content stored (col. 9, lines 7-8, *various information that may be stored*) in the memory, transmit the content from the telephone in response to the request (col. 9, lines 6-7, *allow the caller to access various information*), the content transmitted in a format for presentation in a graphical user interface (fig. 5, *DISPLAY*) on the client, receive a request from the client to execute a telephone-related option (fig. 8, e.g., Forward Call) selected by the user of the client in the graphical user interface, and execute the requested telephone-related option (col. 14, lines 52-65, *Upon executing any of the hyper text links presented in the menu 800, the communications system presents another menu to the caller*).

3.   Regarding claim 2,

Jennings discloses that data communications systems that switch asynchronously to transfer packetized data (col.1, lines 53-55).

4.   Regarding claim 3,

Jennings discloses that telephone 209 supports VOIP (col. 6, lines 24-25).

5.   Regarding claim 4,

Jennings discloses LAN (col. 5, lines 50-51).

6.   Regarding claim 5,

Jennings shows in fig. 2A a telephone 209 that inherently comprises a

microphone and a speaker.

7.   Regarding claim 6,

Jennings discloses HTML browser application program that receives all items

(col. 9, lines 2-5).

8.   Regarding claims 7, 10, 12 and 13,

Jennings discloses that the browser supports communications transferred in the

HTTP protocol (col. 8, lines 52-54). Jennings shows in fig. 8 various telephony

functions such as Forward Call.

9.   Regarding claims 8, 11 and 14,

Jennings discloses that the browser supports communications transferred in the

HTTP protocol (col. 8, lines 52-54). Jennings further discloses that options are provided

to the caller for routing the call such as options for forwarding (col. 12, lines 26-32).

10.   Regarding claim 9,

Jennings discloses an Internet Protocol (IP) network (col. 11. lines 25-26, *IP*

address).

Jennings further discloses a client coupled to the IP network (col. 8, lines 47-56,

the communications system may be accessed by computer coupled via the Internet.

*The computer may have a **browser** that supports communications transferred in the*

HTTP protocol).

Jennings shows in fig. 2A a telephone 209 coupled to the IP network 212.

Jennings further shows in fig. 2A a network interface between telephone 209 and

network 212 operable to couple the telephone to the communications network (col. 6,

lines 1-42).

Jennings still further shows in fig. 2A a handset 209 operable to provide oral

communication by a user of the telephone using the network interface.

Jennings shows in fig. 5 a memory 504 and 506 operable to store communication

software and content for delivery to the client using the network interface, the content

menu 800 of fig. 8 associated with the operation of the telephone (col. 10, line 38 – col.

11, line 11).

Jennings further shows in fig. 5 a processor 502 coupled to the memory and

operable to execute the communication software (col. 10, line 64 – col. 11, line 10,

program instructions) to enable the telephone to receive a request from the client (col.

8, line 53, *browser*) for the content stored (col. 9, lines 7-8, *various information that may*

be stored) in the memory, transmit the content from the telephone in response to the

request (col. 9, lines 6-7, *allow the caller to access various information*), the content

transmitted in a format for presentation in a graphical user interface (fig. 5, *DISPLAY*)

on the client, receive a request from the client to execute a telephone-related option (fig.

8) selected by the user of the client in the graphical user interface, and execute the

requested telephone-related option (col. 14, lines 52-65).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Sarkissian (US6396849B1) teaches multiple mode voice and data

communications using intelligently bridged TDM and packet buses.

Regnier (US6345047B1) teaches computer telephony adapter.

Hickman (US2001/0033564A1) teaches a voice web browser system coupled to

a TCP/IP network.

Ogawa (US2001/0043594A1) teaches information processing apparatus being

connected to a network such as the Internet to receive information through a telephone.

Edholm (US6449269B1) teaches packet voice telephony.

Greenberg (US6791974B1) teaches universal internet based telephony system

that provides ubiquitous access for subscribers from any terminal device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Sol whose telephone number is (571) 272-5949. The examiner can normally be reached on M-F 7:30am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

AMS

4/30/2007